

### **REMARKS/ARGUMENTS**

This case has been carefully reviewed and analyzed in view of the Final Office Action dated 23 February 2007. In view of the rejections made in the Office Action, the following remarks are hereby made.

In the Official Action, the Examiner rejected Claims 1, 2, 4, 5, 7-9, 13-16 and 23-26 under 35 U.S.C. § 103(a), as being unpatentable over Shaver, et al., U.S. Patent 4,964,075, in view of Torok, U.S. Patent 5,458,425.

It is respectfully submitted that the Shaver, et al. reference is directed to a software and hardware independent auxiliary user programmable intelligent keyboard that defines a User Programmable Keyboard Entry Device (UPKED). The device is an add-on accessory that is coupled between a conventional keyboard 11 and a computer system 15, as shown in Fig. 1B. The UPKED 19 includes a plurality of MACRO keys 25, a Shift key 24 and a programming time delay key 36 that are coupled to the microprocessor 30 through the decoder 33. The microprocessor 30 is coupled to memory in the form of ROM 31 containing the operating system for the UPKED and a battery backed-up RAM 32 in which a plurality of keystroke sequences are stored in correspondence to respective MACRO keys 25. As each MACRO key 25 is associated with a particular sequence of keystrokes, the greater the number of keys 25 on the keypad of the UPKED, the greater the number of individual sets of keyboard keystroke sequences that can be stored, Col. 10, lines 65-68. However, the plurality of keys

on the keypad provide the means for reading and output of the keystroke sequences to the computer 15, NOT to program the nonvolatile memory.

The reference clear discloses the programming of the nonvolatile memory, associating the stored keystroke sequences with particular MACRO keys in the Programming Mode, using the keyboard 11. The reference states "... [t]o program any selected MACRO key, the user moves the 'RUN/PROGRAM' switch 27 to the 'PROGRAM' position. He/she then strikes the MACRO key 25 which is to be programed and, **on the regular keyboard, types out the keyboard keystroke sequence** (hereinafter, a MACRO statement) in a normal manner. As the MACRO statement is being typed, the UPKED both records the data in its non-volatile memory..." (emphasis added), Col. 8, lines 48-54.

Therefore, nowhere does the reference disclose or suggest a nonvolatile memory programmable by operating the plurality of keys, which keys are on the keyboard of the programmable input apparatus, as has been claimed. In fact, the reference teaches away from that structure. The UPKED of the reference does not have keys for input of keystrokes to be stored in the nonvolatile memory, but instead is programmed by using the operating keys on another keyboard, the keyboard 11. Additionally, as admitted by the Examiner, the Shaver et al. reference fails to disclose or suggest the inclusion of special control keys that are programmable to **simulate a cursor control device** with a different report rate from that of the other keys to coincide with requirements of a cursor control

device.

The Torok reference does not overcome the deficiencies of Shaver et al. The Torok reference is directed to a keyboard for touch type editing. In order to increase typing speed, the reference provides a keyboard with function keys F11 and F12 located so that they can be activated by a user's thumbs, without substantial arm movement. In particular, the function keys F11 and F12 are "programmed to execute a series of commands with one keystroke," i.e. F11 may be programmed to move the cursor eight spaces to the left, and F12 programmed to move the cursor eight spaces to the right, Col. 9, lines 27-37.

Thus, contrary to the Examiner's interpretation Torok discloses moving the cursor using keyboard control codes, encoding multiple space, backspace, or left and right arrow key keystrokes in the specified function keys. Nowhere does this reference disclose or suggest programming those keys or any keys to be programmable to have a different report rate from that of the other of the plurality of keys to coincide with requirements of a cursor control device, as has been claimed. The ability to move the cursor by operating keyboard keys, such as the arrow keys, space key and backspace key is well known, but is not a simulation of a cursor control device. Such keyboard keys are operated at the same report rate as any of the alphanumeric keys of the keyboard. Whereas a cursor control device, such as a mouse or trackball, require a higher report rate than a conventional character key, in order to update the cursor position as the cursor control device is

operated. The reference, simply stores a sequence of cursor displacement command keystrokes, but in no way discloses any change in the report rate.

Therefore, as neither Shaver, et al., nor Torok disclose or suggest the concatenation of elements which forms the invention of the subject Patent Application, their combination cannot make obvious that invention.

For all of the foregoing reasons, it is now believed that the subject Patent Application has been placed in condition for allowance, and such action is respectfully requested. .

Respectfully submitted,  
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